

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TOBY GODFREY,

Plaintiff,

v.

RICHARD HARRINGTON, *et al.*,

Defendants.

Case No. 13-cv-280-JPG-DGW

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 31) of Magistrate Judge Donald G. Wilkerson recommending that the Court deny with prejudice in part and without prejudice in part plaintiff Toby Godfrey’s motion for a temporary restraining order (“TRO”) and preliminary injunction (“PI”) (Doc. 24) and motion for default judgment (Doc. 29).

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court hereby:

- **ADOPTS** the Report in its entirety (Doc. 31);
- **DENIES** Godfrey’s motion for a TRO and PI **with prejudice in part** and **without prejudice in part** (Doc. 24). The motion is denied with prejudice to the extent it seeks a TRO and without prejudice to the extent it seeks a PI; and

- **DENIES** Godfrey's motion for default judgment (Doc. 29).

**IT IS SO ORDERED.**

**DATED: December 13, 2013**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**